IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION LD.NO.2303 OF 2004

Lalit Janardhan Gaikwad & Ors. ...Petitioners.
Vs.
The Security Guards Board for Gr. Bombay and Thane District & Ors. ...Respondents.

....

Mr. Susheel Mahadeshwar i/b. Ms.Ranjana Todankar for the Petitioners.
Mr. M. S. Topkar for Respondent No.1.
Mr. D.N. Wankhede for Respodent Nos.2 and 3.

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CORAM : DALVEER BHANDARI, C.J. &
DR.D.Y.CHANDRACHUD, J.

November 4, 2004.

P.C.:

Rule. The learned counsel appearing for the respondents waive service of rule. By consent, the matter is taken up for final hearing today.

2. We have heard the learned counsel appearing for the parties.

3. This petition is filed by the Petitioner for the grant of an appropriate relief in favour of the Security Guards, in accordance with the provisions of the Maharashtra Private Security Guards

(Regulation of Employment and Welfare) Act, 1981 (“the Act”, for short) and the Scheme framed thereunder.

4. Our attention was invited to the relevant provisions of the Act and a decision of the Division Bench of this Court in Maharashtra Suraksha Rakshak Aghadi & Anr. V/s. State of Maharashtra & Anr. (2002) 4 Mh. L.J. 758.

5. Reading the relevant provisions of the Act and the Scheme, it is clear that for getting the benefits of the Act, the Petitioners' have to get themselves registered with the Board. The learned counsel appearing for the petitioners stated that they would make an appropriate application for getting registration with the Board. Such an application will be made within ten days from today. The Board will consider the same, and take an appropriate decision in accordance with law, keeping in mind the provisions of the Act and the Scheme as amended from time to time.

6. The learned counsel appearing for respondent No.2 stated that respondent No.2 has also not got itself registered as required by law. He, however, stated that respondent No.2 would make such application within ten days from today. Let such

application be made and the Board take an appropriate decision thereon. Thereafter, the Board would follow the provisions of the Act and the Scheme by supplying Security Guards.

7. It is needless to say that as far as possible, while allotting the services of the Security Guards, the Board will keep in mind the fact that the Security Guards, petitioners herein, were working with the 2nd Respondent. The Board will try to accommodate them as far as possible.

8. Ad-interim relief granted by this Court on 31st August 2004 will continue till the disposal of the applications of the Petitioners as well as of Respondent No.2 by the Board.

9. The order passed by us will apply to all Respondents. It would be without prejudice to the rights and contentions of the respondents.

10 Rule is made absolute in the above terms. No costs.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.